THE HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
THE HON'BLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION NO.15645 OF 2007

Date: 17.9.2007

Between:

Vijayaraja. … Petitioner.

And

The Station House Officer,
IV Town Police Station,
Kurnool and others. …. Respondents.

ORAL ORDER: **(per P. Swaroop Reddy, J)**

This is a taken up writ petition on the basis of a letter addressed by one Vijayaraja, resident of H.No.83/17, Shareennagar, Kunrool to the Hon'ble the Chief Justice alleging that his sister by name Pramila was kidnapped from her work place on 4.2.2007 by one R.J. Phillips S/o R. Kasumanna, Sharif Nagar, that she was in illegal custody of the said Phillips and he apprehend that her sister might be dead.

The petitioner has not given the complete details as to from which place her sister was kidnapped and the reason for her kidnap.

One B. Srinivasul Reddy, Sub-Inspector of Police (under probation), IV Town Police Station, Kurnool filed a counter stating that the police have not received any complaint about the missing of a person by name Pramila and his enquiry revealed that no one by name 'Vijayaraja' (person who sent the letter) is residing in the house bearing No.83/17, Shareen Nagar, Kurnool. The counter states that the enquiry further revealed that in the address given by the petitioner there is a Church by name "CEYON". The person concerned with the Church informed them that no person by name 'Vijayaraja' is residing in the premises or known to them. The counter further states that the statement of R.J. Philips who is alleged to have kidnapped the sister of the petitioner was recorded and in his statement he deposed that he is running a school by name St.Johns and working as Executive Secretary of "Bethalu Prayer Hall", that he does not know the sister of the petitioner by name 'Pramila' and that he had never seen such a

person and that in order to create troubles to his organization, some unknown persons might have sent petitions to the High Court in a fictitious name. It is also averred in the counter that the Village Administrative Officer, Kallur Village and Mandal also certified that no person by name Vijayaraja is residing at the given address.

The averments made in the counter filed by the respondents clearly discloses that the identity of the petitioner is not known as no person by name 'Vijaraja' is residing at the address furnished in the letter sent to the High Court on the basis of which it was taken up as a writ petition. The statement recorded from Sri R.J. Philips, which was filed along with the counter affidavit also discloses that he does not know about 'Pramila" and he had never seen such a person. The additional affidavit filed by P.T. Kesava Reddy, S.H.O, IV Town P.S. also discloses that an enquiry has also been made by the Tahsildar, Kallur, which revealed that no persons by name 'Vijayaraja' and 'Pramila' are residing in H.No.83/17, Shareen Nagar, Kurnool Town. A copy of the letter sent by the Tahsildar, Kallur in Rc.A.No.520/07 dated 9.9.2007 to the said effect was also filed along with the additional affidavit. Under these circumstances, as pointed out in the counter-affidavit, it might be a false petition sent by somebody in a fictitious name. The writ petition is, therefore, dismissed.

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A. GOPAL REDDY, J

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17th September, 2007 **P. SWAROOP REDDY, J**

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